IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No.23356 of 2008
DASHRATH MAHATO
Versus
STATE OF BIHAR
---

3 30.7.2008 Heard Counsel for the Petitioner, Counsel for the State as also Counsel for the Informant.

Reference may be made to the earlier order of this Court dated 19.6.2008.

Pursuant thereto, the opposite party no.2 is present before this Court and submits that despite all the atrocities which have been inflicted on her by her husband, she is still prepared to live with him because she had no other alternative or option. She also says that she is now having a son aged about ten years and she does not have any one to support her.

WEB COPY NOT OFFICIAL

Counsel for the petitioner on instruction from the petitioner submits that the petitioner also is now ready to mend his ways. He further assures that the petitioner will keep the opposite party no.2 with all dignity as his duly wedded wife and that there would be no occasion for her in future to make any grievance against the petitioner.

Considering the aforementioned undertaking given on behalf of the petitioner by his Counsel, this Court would grant provisional bail to the petitioner namely Dasrath Mahato in connection with Complaint Case No. 2479 of 2005 on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial

Magistrate, Purnea for a period of two months. Thereafter, the petitioner and the opposite party no.2 will appear before the Sub Divisional Judicial Magistrate, Purnea who will ascertain from the opposite party no.2 as to whether in this period of two months she was subjected to any physical or mental torture. In the event, such a complaint is made by the opposite party no.2, the provisional bail so granted to the petitioner by this Court shall stand automatically cancelled. However, in case, the opposite party no.2 informs the Court of the Sub Divisional Judicial Magistrate, Purnea that there was no untoward event, the provisional bail shall be extended for an another period of three months whereupon if the same review will be made by the Sub Divisional Judicial Magistrate, Purnea and if after making such similar review for the continuous period of one year on a gap of every three months he is satisfied that the petitioner has been keeping his wife with all dignity, then alone, the provisional bail of the petitioner will be confirmed.

WEB COPY NOT OFFICIAL

With the aforementioned observations and directions, this application is disposed off.

Rsh **(Mihir Kumar Jha, J.)**